

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MADELYN TAMAREZ,

Plaintiff,

-v-

KATHLEEN HOCHUL, et al.,

Defendants.

CIVIL ACTION NO.: 21 Civ. 10678 (GHW) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge:

Pro se Plaintiff Madelyn Tamarez, who is currently detained in the Rose M. Singer Center (“RMSC”) on Rikers Island, brings this action under 42 U.S.C. § 1983, alleging that her transfer from RMSC to the Bedford Hills Correctional Facility, while her criminal proceedings are pending, violated her constitutional rights. (ECF No. 1 (the “Complaint”)).

On December 28, 2022, Defendants filed motions to dismiss the Complaint in its entirety. (ECF Nos. 50, 54 (the “Motions”)). On January 31, 2023, at Ms. Tamarez’s request, the Court extended Ms. Tamarez’s deadline to file her opposition (the “Opposition”) the Motions, from January 17, 2023 to February 14, 2023. (ECF No. 60). To date, Ms. Tamarez has not filed the Opposition or otherwise communicated with the Court. On March 1, 2023, Defendants requested that their Motions be deemed unopposed or, in the alternative, that the Court enter a revised briefing schedule. (ECF No. 61).

Given Ms. Tamarez’s pro se status, the Court will afford her **one final opportunity** to respond to the Motion, and orders as follows:

1. By **March 16, 2023**, Ms. Tamarez shall file her Opposition. Ms. Tamarez is warned that that **failure to file the Opposition will result in the Court ruling on the Motions based**

**on Defendants' submissions alone and may result in of the Court granting the Motion and dismissing this action with prejudice.**

2. If Ms. Tamarez files the Opposition, Defendants shall serve and file their replies, if any, by **March 30, 2023**.

The Court reminds Ms. Tamarez of her ability to seek free legal advice from the New York Legal Assistance Group's legal clinic for pro se litigants, by visiting its website at [nylag.org/pro-se-clinic/](http://nylag.org/pro-se-clinic/) or by calling (212) 659-6190. This clinic is not part of or run by the Court and it cannot accept filings on behalf of the Court.

The Clerk of Court is respectfully directed to mail a copy of this order to Ms. Tamarez.

Dated: New York, New York  
March 2, 2023

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**